

## ADEQ SFY 12 END OF YEAR REVIEW

Update: April 2013

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EPA's end of year (EOY) review of ADEQ's water programs evaluated program commitments in the workplan, reviewed reports/submittals and considered information gathered during ongoing program conference calls.

ADEQ's Integrated Workplan describes all Water Quality Division (WQD) activities. Activities are funded by several Federal grant sources as well as non-Federal sources. See Attachments 1 (Summary of Federal Funding) and 2 (Overall ADEQ Budget Expenditures).

For the SFY12 review, EPA focused not only on the program commitments and work but also the adequacy of program integration and communication across program lines. With limited resources and large water quality challenges, EPA is interested in opportunities for collaboration and program integration. Individual program assessments are part of the official grant file.

### **ASSESSMENT**

ADEQ and EPA maintain regular communication, with open and constructive discussions between programs. Our continued dialogue provides opportunities for collaborative problem solving.

#### *Program Successes*

- Monitoring Assistance Program for Water Systems
- Source Water Protection Program efforts with schools
- High quality and timely NPDES permitting
- Compliance by NPDES permitted facilities
- Progress toward water quality improvements through NPS project implementation
- Border Program Efforts – Outreach and infrastructure, especially Nogales

#### *Specific projects we have worked through jointly*

- Marana – 208 and NPDES Permitting
- Rosemont – NEPA, 401 and 404
- 404 delegation
- Gila River TMDL, submission and Model General Permit WLA Language
- Curis and BHP APP and UIC Permitting
- Response to Senate Bill 1289

#### *Challenges and Opportunities*

- SDWA Cross program collaboration: PWSS, Compliance and WIFA, reducing number of facilities on ETT (Note: EPA has separate responsibility to ensure effectiveness of WIFA)
- CWA Cross program collaboration: TMDLs and NPS; Santa Cruz- Impaired Waters, NPS, NPDES Permitting, Compliance and Border
- Revised TMDL Workplan commitments (renewed commitment by management to finalize and submit)
- Delays in submittal of Integrated Report

- Variances in NPDES permits
- WQS: Future efforts to address urban lakes
- NPS: New program guidance (focus and funding changes)
- SW Enforcement – building ADEQ capacity

## **ACTION ITEMS**

### **SDWA Programs**

#### *PWSS Program*

1. PWSS Program will provide proposed workplan revisions to further the progress on primacy packages. The proposed revisions should identify for each rule-specific primacy package, specific milestones and dates for review and re-submittal. EPA will review and final changes will be submitted to Budget and Planning for inclusion in the revised FY13 workplan. **Completed.**

*2. EPA and ADEQ will continue to discuss cross program integration and coordination between WIFA and the program activities in the ADEQ Drinking Water and Compliance Sections. We will continue to explore opportunities to further the use of existing tools and resources to address the needs of drinking water systems, with particular focus on small systems.*

#### *DW Compliance*

3. ADEQ will try and associate enforcement actions in the database prior to the end of September. ADEQ will evaluate options to address systems in non-compliance prior to showing up on the ETT list. **Completed, and Ongoing.**

#### *UIC*

4. ADEQ and EPA will continue to keep each other apprised of major developments in the various APP/UIC permitting actions. Curis, BHP, etc. **Completed and Ongoing.**

5. ADEQ will provide updated drywell data for inclusion in EPA's database. EPA and ADEQ will consult on appropriate file format. **Completed.**

### **CWA Programs**

#### *Permits*

*6. Reissuance of the MS4 Phase 2 permit (expired since 12/07) is a high priority for EPA and ADEQ will keep EPA apprised of its schedule and/or if support is needed.*

7. EPA will provide comments on the AZ's revised draft construction general stormwater permit by 10.26.12 in order to meet the mid-November PN date. **Completed. Permit to be reissued shortly.**

8. EPA will send ADEQ the final Permit Quality Review (PQR) within 2 weeks. EPA will schedule a meeting with ADEQ to discuss and resolve the action items. Delayed by HQ review, NLT 10.26.12. **Completed.**

**9. ADEQ and EPA will discuss Nogales IWTP permit as it is being developed by ADEQ. Potential changes to monitoring program may be appropriate. Call to be scheduled. ADEQ will provide draft permit to EPA prior to sending to discharger.**

10. Variances which are water quality standard actions in permits were discussed. ADEQ shared its basis for the existing and forthcoming variances (11 in total). Specific follow-up actions are:

Grand Canyon, North and South Rim: EPA and ADEQ will review data and determine appropriate course of action 1) Variance or 2) WQS change in 2013 Triennial Review allowing Water Effects Ratio (WER) to act as site specific standard is best option.

Tonto Creek: ADEQ will work with EPA to develop annual mean averaging period in the new permit that will not include a variance. **Permit Pending.**

#### *Water Quality Standards*

**11. ADEQ will provide initial data and justification for modifying tributary language in Nutrient standards for Rivers to EPA, prior to a joint discussion. Ongoing.**

12. EPA to schedule call with ADEQ to discuss 2009 Standards not approved. **Completed 10.17.12**

13. ADEQ will revise WQS Workplan task to reflect new implementation procedures and Pinto Creek Site Specific Standard dates. **Completed**

#### *Monitoring*

**14. EPA will schedule a call to discuss WQX data (PPG) and Rivers and Streams specific work-plan revisions (Monitoring Grant). Outstanding IT Issue**

#### *TMDLs and NPS*

15. ADEQ to review comment on the proposed NPS guidance, when it is released. **Completed.**

**16. Hillside Mine: EPA to provide O&M costs for road and cap. ADEQ will consult with State Lands on project and related liabilities. ADEQ will advise EPA on its preferred course of action. Completed and Ongoing.**

**17. ADEQ will review the existing Priority Watersheds to determine if they remain a state priority for achieving water quality improvement.**

**18. ADEQ will continue to look at impaired waters with and without TMDLs and determine which ones will have priority/be included in 2014 Workplan.**

19. EPA will review projected annual commitment for TMDLs by end of October 2012. **Completed.**

20. EPA NPS will provide good examples of watershed plans for TMDLs. **Completed and ongoing. NPS/TMDL EPA/ADEQ addressing through Watson Lake/Granite creek coordination.**

21. ADEQ and EPA worked together to revise 2013 workplan to include deliverables, and revised numbers for TMDL submittal. **Completed 10.01.12**

#### *WQ Compliance*

**22. ADEQ agreed to provide EPA with copies of inspection reports in SFY13 which will include a geographic and programmatic mix. Completed.**

23. ADEQ will include other compliance reports with the quarterly enforcement report due 11.15.12. **Completed and ongoing.**

24. ADEQ will include the dates for both sending and closing an NOV for each facility on the quarterly report. EPA will use the information to assess the amount of time it takes to bring systems into compliance using informal enforcement. **Completed and ongoing.**

25. ADEQ will complete review of Prescott Response to MS4 audit and inform EPA of its planned action at future compliance call. ADEQ has draft AO. **Ongoing.**

26. ADEQ SW Permits Unit will review annual reports of MS4 Phase I. EPA and ADEQ will discuss reviews to determine if they can address the requirements of EPA national initiative. **Completed.** EPA will not use Annual reports to meet requirements.

27. EPA will provide an update on ADOT enforcement and consult on compliance dates. EPA will keep ADEQ apprised. **Completed. AOC to be completed shortly.**

#### *Cross Program*

28. ADEQ TMDL/NPS will work with SW Compliance to review City of Prescott MS4 Phase II Audit as part of TMDL development. And will work with SW permits to ensure MS4 Phase II will be assigned a WLA.

29. ADEQ TMDL/NPS will work with Compliance to understand extent and influence of Sanitary Sewer Overflows identified in the Granite Creek WIP, as well as recommended remedy (enforcement action, or other).

#### **30. Santa Cruz Watershed Project**

EPA/ADEQ/Tetrattech clarify period of time and parameters for data requested from stakeholder groups, and distribute revised data summary and Dr. Norman's USGS presentation with attendees. **Completed 10.11.12.**

Early 2013 schedule meeting with stakeholders to present impairment assessment (via phone or in person if during February Midyear meeting). **Delayed and Ongoing.**

ADEQ will be reviewing City of Nogales, AZ MS4 Phase II annual report and may request SWMPP for review. **Completed and ongoing.**

EPA will coordinate with ADEQ to determine next steps for the Santa Cruz project following the impairment assessment. 1<sup>st</sup> Q 2013. **Delayed and Ongoing.**